3940

BILL NO. Z-78-03- 25

ZONING MAP ORDINANCE NO. Z- 10-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. M14, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lot 145, except the East 10 feet thereof, and Lot 146, except the East 10 feet thereof, in Brookview Addition to the City of Fort Wayne (known as 2019 North Clinton Street).

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian L. Schmidt
Councilman

APPROVED AS TO FORM AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by J. Schmidt, seconded by Henry, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice~~, at the Council Chambers, ~~City-County Building~~, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__, at _____ o'clock _____ M., E.S.T.

DATE: 3-28-78

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by J. Schmidt, seconded by Henry, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	9				
BURNS	✓				
HINGA	✓				
HUNTER	✓				
MOSES	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.	✓				
STIER	✓				
TALARICO	✓				

DATE: 5/23/78

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE (~~RESOLUTION~~) No. Z-10-78 on the 23rd day of May, 19 78

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 19 78, at the hour of 10:30 o'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 26th day of May, 19 78 at the hour of 11:00 o'clock A M., E.S.T.

Robert E. Armstrong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 28, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-03-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 17, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLBED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 24, 1978.

Certified and signed this
26th day of April, 1978.

Luben Lazoff
Secretary

Held

5-16

Bill No. Z-78-03-25

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. M14

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

VIVIAN G. SCHMIDT - CHAIRMAN — Vivian G. Schmidt

JOHN NUCKOLS - VICE CHAIRMAN — John Nuckols

WILLIAM T. HINGA — William T. Hinga

DONALD J. SCHMIDT — Donald J. Schmidt

JAMES S. STIER — James S. Stier

5-23-78
DATE

CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK

RECEIPT Date 2 March 1978 No. 10116

Received From Ace Radiator Works

Address 2119 N. Clinton, P.O. Box 15011

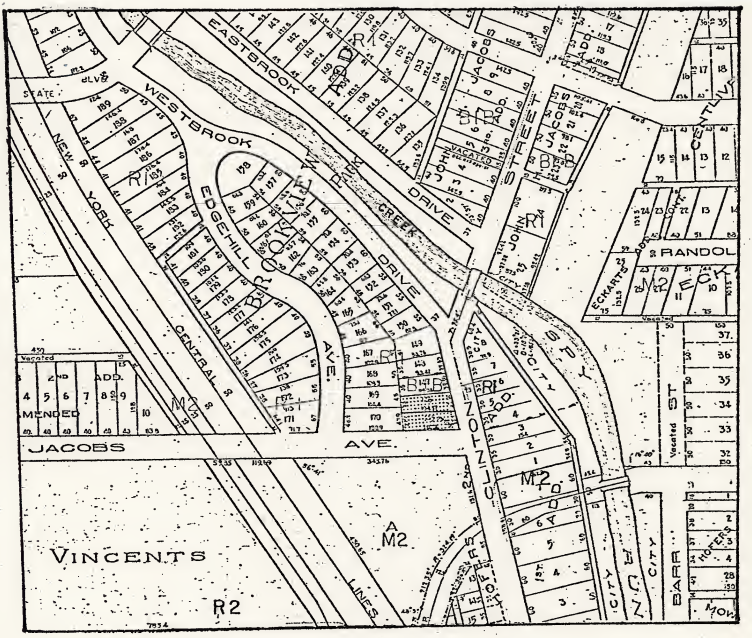
fifty & 00/100 Dollars $ 50.00

For Rezoning B1B to B3B

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	✓	
BALANCE DUE			MONEY ORDER		

D. R

By



REZONE FROM B1B TO B3B

MAP NO. M14

Z-78-03-25

BY M.F.C. 3-2-78

N

PETITION FOR ZONING ORDINANCE AMENDMENT Receipt No. _____

Date Filed _____

Intended Use _____

I/We KENNETH WOOD & JESSE H. WOOD
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an B1B District to a/an B3B District the property described as follows:

Lot 145, except the East 10 feet thereof, and Lot 146, except the East 10 feet thereof, in Brookview Addition to the City of Fort Wayne (known as 2019 North Clinton Street).

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

X Kenneth Wood	4321 Reed Rd., Ft. Wayne, Ind.	
KENNETH WOOD		
X Jesse H. Wood	4321 Reed Rd., Ft. Wayne, Ind.	
JESSE H. WOOD		
X John M. Wood	7203 Putt Lane, Ft. Wayne, Ind.	
JOHN WOOD	(Address & Zip Code)	(Signature)

(If additional space is needed, use reverse side)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: $50.00)

Name and address of the preparer, attorney or agent.

PAUL F. NIETER, Attorney	222 Utility Bldg., Ft. Wayne, Indiana 46802	743-0502
(Name)	(Address & Zip code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

3440

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-78-03-25

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lot #145, except the East 10 feet thereof, and Lot #146, except the East 10 feet thereof, in Brookview Addition to the City of Fort Wayne (known as 2019 North Clinton Street).

EFFECT OF PASSAGE Property is now zoned B1B District - Limited Business. Property will become a B3B District - General Business.

EFFECT OF NON-PASSAGE Property will remain a B1B District - Limited Business.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) _____

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

May 26, 1978

Ms. Virginian Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of May 31, and June 7, 1978, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. Z-78-03-25
Zoning Map Ordinance No. Z-10-78

Bill No. G-78-04-26
(as amended)
General Ordinance No. G-12-78

Please send us ten (10) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

© F.W.B.C. 197

LEGAL NOTICE

OF THE COMMON COUNCIL, FORT WAYNE, INDIANA

Notice is hereby given that on the 23rd day of May, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-78-03-25 --- Zoning Map Ordinance No. Z-10-78 being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M14

Notice is hereby given that on the 23rd day of May, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-78-04-26 (as amended) ---- General Ordinance No. G12-78 being AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana,do hereby certify that Bill No. Z-78-03-25 ---- Zoning Map Ordinance No. Z-10-78 and that Bill No. G-78-04-26 (as amended) --- General Ordinance No. G-12-78 were passed by the Common Council on the 23rd day of May, 1978, and that said Ordinances were duly signed and approved by the Mayor on the 26th day of May, 1978, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of May, 1978.

Charles W. Westerman

Charles W. Westerman
City Clerk

Copies of said Bill No. Z-78-03-25--- Zoning Map Ordinance No. Z-10-78 and Bill No. G-78-04-26 (as amended) --- General Ordinance No. G-12-78, are posted in the following places in Fort Wayne, Allen County, Indiana

(1) The main floor lobby of the City-County Building

(2) The buttetin board in the lobby of the Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the east door of the Allen County Court House

Copies of said Bill No. Z-78-03-25---Zoning Map Ordinance No. Z-10-78 and Bill No. G-78-04-26 (as amended)---General Ordinance No. G-12-78, are also available for reading in the following public places in Fort Wayne, Indiana

(4) The Reference Room in the north end of the main floor in said Downtown Public Library

(5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

Charles W. Westerman

Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on May 31, 1978

Charles W. Westerman

Charles W. Westerman
City Clerk

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	2
Body	number of lines	71
Tail	number of lines	1
	Total number of lines in notice	74

COMPUTATION OF CHARGES

74 lines, 1 columns wide equals 74 equivalent lines at .259¢ cents per line $ 19.17

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 4.00

TOTAL AMOUNT OF CLAIM $ 23.19

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

er of insertions 2

Size of quad upon which type is cast 5½

rovision and penalties of Ch. 89, Acts 1967,

at the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just p part of the same has been paid.

V.E. Gerken

7 , 19 78

Title CLERK

NOTICE OF THE COMMON COUNCIL, FORT WAYNE, INDIANA

Notice is hereby given that on the 23rd day Of May, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-78-03-25 — Zoning Map Ordinance No. Z-10-78 being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M14.

Notice is hereby given that on the 23rd day of May, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-78-04-26 (as amended) — General Ordinance No. G-12-78 being AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-78-03-25 — Zoning Map Ordinance No. Z-10-78 and that Bill No. G-78-0426 (as amended) — General Ordinance No. G-12-78 were passed by the Common Council on the 23rd day of May, 1978, and that said Ordinances were duly signed and approved by the Mayor on the 26th day of May, 1978, and now remains on file and record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of May, 1978.

Charles W. Westerman, City Clerk

Copies of said Bill No. Z-78-03-25 — Zoning Map Ordinance No. Z-10-78 and Bill No. G78-04-26 (as amended) — General Ordinance No. G-12-78, are posted in the following places in Fort Wayne, Allen County, Indiana

(1) The main floor lobby of the City-County Building

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Charles W. Westerman, City Clerk

I, Charles W. Westerman, City Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on May 31, 1978.

Charles W. Westerman, City Clerk

5—31/6—7

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PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL, a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

5/31 & 6/7/78

V.E. Gerken

Subscribed and sworn to before me this 7th day of June 19 78

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

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Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	4.00
TOTAL AMOUNT OF CLAIM	$ 23.19

DATA FOR COMPUTING COST

Width of single column ~~12~~ 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date June 7, 19 78

Title CLERK

...H COPY OF
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...board in the lobby at the east door of the Allen County Court House

Copies of said Bill No. Z-78-03-25 — Zoning Map Ordinance No. Z-10-78 and Bill No. G-78-04-26 (as amended) — General Ordinance No. G-12-78, are also available for reading in the following public places in Fort Wayne, Indiana

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Charles W. Westerman, City Clerk

1. Charles W. Westerman, City Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on May 31, 1978.

Charles W. Westerman, City Clerk

5—31/6—7

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time ~~s~~, the dates of publication being as follows:

5/31 & 6/7/78

V. E. Gerken

Subscribed and sworn to before me this 7th day of June 1978

Harry V. Owen
Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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COMPUTION OF CHARGES

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Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	4.00
TOTAL AMOUNT OF CLAIM	$ 23.17

DATA FOR COMPUTING COST

Width of single column 11 ems (9.9)

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

NOTICE OF THE COMMON COUNCIL FORT WAYNE, INDIANA

Notice is hereby given that on the 23rd day Of May, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-78-02-25 — Zoning Map Ordinance No. Z-10-78 being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M14.

Notice is hereby given that on the 23rd day of May, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-78-04-26 (as amended) — General Ordinance No. G12-78 being AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-78-02-25 — Zoning Map Ordinance No. Z-10-78 and that Bill No. G-78-0426 (as amended) — General Ordinance No. G-12-78 were passed by the Common Council on the 23rd day of May, 1978, and that said Ordinances were duly signed and approved by the Mayor on the 26th day of May, 1978, and now remains on file end record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of May, 1978.

Charles W. Westerman, City Clerk

Copies of said Bill No. Z-78-02-25 — Zoning Map Ordinance No. Z-10-78 and Bill No. G-78-04-26 (as amended) — General Ordinance No. G-12-78, are posted in the following places in Fort Wayne, Allen County, Indiana

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Charles W. Westerman, City Clerk

I, Charles W. Westerman, City Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on May 31, 1978.

Charles W. Westerman, City Clerk

5—31/6—

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vision and penalties of Ch. 89, Acts 1967,

t the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

Arvilla DeWald

Title CLERK

, 19 78

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

5/31 & 6/7/78

Arvilla DeWald

Subscribed and sworn to before me this 7th day of June, 19 78

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM — $ 23.17

DATA FOR COMPUTING COST

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Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

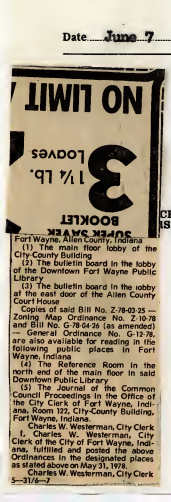
Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date June 7, 19 78

Title CLERK



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Fort Wayne, Allen County, Indiana.
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Charles W. Westerman, City Clerk
I, Charles W. Westerman, City Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on May 31, 1978.
Charles W. Westerman, City Clerk
5—31/6—7

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city / town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

5/31 & 6/7/78

Arvilla DeWald

Subscribed and sworn to before me this 7thday of June 19 78

Notary Public

My commission expires September 28, 1979